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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,623	05/31/2001	Daniel Mark Dreps	AUS920010256US1	1770
7590	12/01/2004		EXAMINER WELLS, KENNETH B	
Andrew M. Harris Weiss & Moy, P.C. 4204 North Brown Ave. Scottsdale, AZ 85251-3914			ART UNIT 2816	PAPER NUMBER

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/870,623

Applicant(s)

DREPS ET AL.

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 7-17, 21 and 22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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1. The amendment filed on 10/8/04 has been received and entered in the case. In view of the arguments included therein, the previous rejection based on Andoh et al is hereby withdrawn by the examiner. However, new grounds of rejection are set forth in view of alternative interpretations of the prior art of record. It is also noted that claims 21 and 22 are directed to non-elected species B (Fig. 5) and thus they are withdrawn from consideration by the examiner (unless and until a generic claim, from which claims 21 and 22 depend, is found to be allowable).

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Andoh et al.

As to claims 1 and 18, note Fig. 1, where the recited first through third inputs of claim 1 read on the gates of FETs 11, 8 and 9, respectively; the recited receiver reads on the combination of FETs 11, 8 and 9; and the recited first differential comparator reads on the combination of FETs 8 and 9. The recited differential signal is applied to the gates of FETs 8 and 9 on lines 6 and 7, respectively, and the recitation of a single-ended data signal is met by Fig. 1 of Andoh et al

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because the circuit is capable of receiving such a single-ended data signal. The limitations of detecting a value of the single-ended data signal, detecting a binary logic state of the differential signal, etc are deemed to be inherent because the structure of the claims, as well as applicant's figures, is the same as that shown in Fig. 1 of Andoh et al.

As an alternative interpretation of Andoh et al's Fig. 1, the recited first through third inputs of claim 1 read on the gates of FETs 11, 8 and 9, respectively; the recited receiver reads on the entire Fig. 1 circuitry; and the recited first differential comparator reads on the combination of FETs 2 and 3 (in which case the recited differential signal is  $V_{in+}$  and  $V_{in-}$  applied to the gates of FETs 3 and 2, respectively). Under this alternative interpretation of Andoh et al's Fig. 1, the singlential comparator of claim 2 can be read on the combination of FETs 11, 8 and 9.

4. Claims 1-6 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Alexander et al.

As to claims 1 and 18, note Fig. 4, where the recited first through third inputs of claim 1 read on the gates of FETs 54, 80 and 52, respectively; the recited receiver reads on the entire Fig. 4 circuitry; and the recited first differential comparator

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reads on the combination of FETs 52 and 80 (or the combination of FETs 58 and 82). The recited differential signal is the signal applied to input terminals 37 and 38, and the single-ended data signal is the common mode input signal applied to the gates of FETs 54 and 56. The limitations of detecting a value of the single-ended data signal, detecting a binary logic state of the differential signal, deriving a reference, summing currents, etc are deemed to be inherent because the structure of the claims, as well as applicant's figures, is the same as that shown in Fig. 4 of Alexander et al.

As to claims 2-6, the recited singlential comparator reads on the combination of FETs 56, 58 and 82 (or the combination of FETs 52, 54 and 80). The recited current sources of claims 5 and 6 read on current sources 60 and 62.

5. In view of the above-noted new grounds of rejection not necessitated by applicant's amendments, this action is non-final.

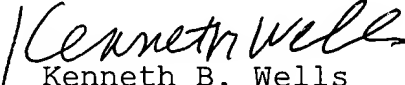
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner

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can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kenneth B. Wells  
Primary Examiner  
Art Unit 2816

November 26, 2004